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Davis

DEPARTMENT OF STATE

Washington, D.C. 20520

March 27, 1970

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MEMORANDUM TO THE CHAIRMAN, NSC REVIEW GROUP:

Status Report on

Subject: Viet-Nam Negotiations Planning: NSSM 29 and NSDM 9 & NSSM 37

The following actions have been undertaken by the Ad Hoc Group on Viet-Nam in response to your memorandum of March 19 on negotiations planning:

1. The Ad Hoc Group paper on cease-fire was forwarded to you on March 24, 1970.

2. Recommendations have been prepared by the Ad Hoc Group on whether and how NSDM 9 and the related NSSM 29 papers need to be revised. Those recommendations are attached to this memorandum.

3. The Ad Hoc Group is undertaking a review of the status of the NSSM 37 papers as requested in your memorandum.

W. H. Sullivan

William H. Sullivan
Chairman,
Ad Hoc Group on Viet-Nam

Declassified/Released on 11/12/96
under provisions of E.O. 12958
by J. Saunders, National Security Council

Enclosure:
Ad Hoc Group
Recommendations

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Ad Hoc Group Recommendations on
Revision of NSSM 29 Papers and NSDM 9

One fundamental portion of the negotiating strategy paper prepared in accordance with NSSM 29 may need revision: Section 6 D, concerning cease-fire and its relationship to withdrawal. A paper now within the NSC system calls for a decision as to whether cease-fire linked to agreement on mutual withdrawals, or to de facto NVA withdrawals accomplishing essentially the same ends, would be acceptable to our side. Different agencies of our government take opposing positions on this issue. Should the decision be reached that we can accept a cease-fire without enemy withdrawal, Section 6 D of the negotiating strategy paper would have to be revised. Such a decision could also have an effect on other portions of the negotiating strategy paper, including those relating to internal political structure and the game plan for early private talks. If, on the other hand, the April 1, 1969 decision of the President is reaffirmed that "...any agreement on cease-fire should be linked explicitly to substantial agreement and anticipated performance in such key areas as withdrawal,..." the strategy paper will require no major revision involving matters of policy.

We recommend, therefore, that revision of the NSSM 29 paper on overall negotiating strategy await NSC decisions on the issues raised in the cease-fire paper. If necessary, the overall negotiating strategy paper should then be revised in accord with those decisions. We further recommend that it be revised at that time to reflect those areas in which our negotiating flexibility has been restricted by positions taken and decisions made since the original paper was drafted. Examples of these areas include our stated willingness to agree to mutual withdrawal of all non-South Vietnamese forces within twelve months, our offer for elections under international supervision with the participation of a mixed electoral commission and our pledge to abide by the results of such elections whatever these might be. Some minor updating of the paper could also be undertaken at that time; we do not anticipate that this updating would involve matters of policy.

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The mutual withdrawal paper prepared pursuant to NSSM 29 was an instruction to Ambassador Bunker for his use in obtaining GVN agreement to a joint US/GVN mutual withdrawal paper for circulation among the troop-contributing countries. Ambassador Bunker undertook consultations with the GVN on the basis of his instructions and obtained their agreement to a joint mutual withdrawal paper. This paper and the instructions which Ambassador Bunker received in essence still represent our position on mutual withdrawal and do not require any revision of a policy nature. These papers should, however, be re-examined in the light of any decisions which may be taken at a future date in the course of NSC consideration of the NSSM 37 paper on phased mutual withdrawal. We do not at present expect that revision will be required.

The decisions taken on the cease-fire paper and the NSSM 29 papers may supersede portions of NSDM 9.

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